



Rep. Silvana Tabares

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LRB098 18962 MLW 57088 a

1 AMENDMENT TO HOUSE BILL 5790

2 AMENDMENT NO. _____. Amend House Bill 5790 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Sections 1-159.1 and 11-1301.2 as follows:

6 (625 ILCS 5/1-159.1) (from Ch. 95 1/2, par. 1-159.1)

7 Sec. 1-159.1. Person with disabilities. A natural person
8 who, as determined by a licensed physician, ophthalmologist,
9 optometrist, or by a physician assistant who has been delegated
10 the authority to make this determination by his or her
11 supervising physician, or by an advanced practice nurse who has
12 a written collaborative agreement with a collaborating
13 physician that authorizes the advanced practice nurse to make
14 this determination: (1) cannot walk without the use of, or
15 assistance from, a brace, cane, crutch, another person,
16 prosthetic device, wheelchair, or other assistive device; (2)

1 is restricted by lung disease to such an extent that his or her
2 forced (respiratory) expiratory volume for one second, when
3 measured by spirometry, is less than one liter, or the arterial
4 oxygen tension is less than 60 mm/hg on room air at rest; (3)
5 uses portable oxygen; (4) has a cardiac condition to the extent
6 that the person's functional limitations are classified in
7 severity as Class III or Class IV, according to standards set
8 by the American Heart Association; (5) is severely limited in
9 the person's ability to walk due to an arthritic, neurological,
10 oncological, or orthopedic condition; (6) cannot walk 200 feet
11 without stopping to rest because of one of the above 5
12 conditions; ~~or~~ (7) is missing a hand or arm or has permanently
13 lost the use of a hand or arm; or (8) is blind, defined as a
14 vision acuity of 20/200 or less in the better eye with the use
15 of a correcting lens, or an eye that is limited in its field of
16 vision so that the widest diameter of the visual field subtends
17 an angle no greater than 20 degrees.

18 (Source: P.A. 98-405, eff. 1-1-14.)

19 (625 ILCS 5/11-1301.2) (from Ch. 95 1/2, par. 11-1301.2)

20 Sec. 11-1301.2. Special decals for parking; persons with
21 disabilities.

22 (a) The Secretary of State shall provide for, by
23 administrative rules, the design, size, color, and placement of
24 a person with disabilities motorist decal or device and shall
25 provide for, by administrative rules, the content and form of

1 an application for a person with disabilities motorist decal or
2 device, which shall be used by local authorities in the
3 issuance thereof to a person with temporary disabilities,
4 provided that the decal or device is valid for no more than 90
5 days, subject to renewal for like periods based upon continued
6 disability, and further provided that the decal or device
7 clearly sets forth the date that the decal or device expires.
8 The application shall include the requirement of an Illinois
9 Identification Card number or a State of Illinois driver's
10 license number. This decal or device may be used by the
11 authorized holder to designate and identify a vehicle not owned
12 or displaying a registration plate as provided in Sections
13 3-609 and 3-616 of this Act to designate when the vehicle is
14 being used to transport said person or persons with
15 disabilities, and thus is entitled to enjoy all the privileges
16 that would be afforded a person with disabilities licensed
17 vehicle. Person with disabilities decals or devices issued and
18 displayed pursuant to this Section shall be recognized and
19 honored by all local authorities regardless of which local
20 authority issued such decal or device.

21 The decal or device shall be issued only upon a showing by
22 adequate documentation that the person for whose benefit the
23 decal or device is to be used has a disability as defined in
24 Section 1-159.1 of this Code and the disability is temporary.

25 (b) The local governing authorities shall be responsible
26 for the provision of such decal or device, its issuance and

1 designated placement within the vehicle. The cost of such decal
2 or device shall be at the discretion of such local governing
3 authority.

4 (c) The Secretary of State may, pursuant to Section
5 3-616(c), issue a person with disabilities parking decal or
6 device to a person with disabilities as defined by Section
7 1-159.1. Any person with disabilities parking decal or device
8 issued by the Secretary of State shall be registered to that
9 person with disabilities in the form to be prescribed by the
10 Secretary of State. The person with disabilities parking decal
11 or device shall not display that person's address. One
12 additional decal or device may be issued to an applicant upon
13 his or her written request and with the approval of the
14 Secretary of State. The written request must include a
15 justification of the need for the additional decal or device.

16 (c-5) Beginning January 1, 2014, the Secretary shall
17 provide by administrative rule for the issuance of a separate
18 and distinct parking decal or device for persons with
19 disabilities as defined by Section 1-159.1 of this Code and who
20 meet the qualifications under this subsection. The authorized
21 holder of a decal or device issued under this subsection (c-5)
22 shall be exempt from the payment of fees generated by parking
23 in a metered space, a parking area subject to paragraph (10) of
24 subsection (a) of Section 11-209 of this Code, or a publicly
25 owned parking area.

26 The Secretary shall issue a meter-exempt decal or device to

1 a person with disabilities who: (i) has been issued
2 registration plates under subsection (a) of Section 3-609 or
3 Section 3-616 of this Code or a special decal or device under
4 this Section, (ii) holds a valid Illinois driver's license, and
5 (iii) is unable to do one or more of the following:

6 (1) manage, manipulate, or insert coins, or obtain
7 tickets or tokens in parking meters or ticket machines in
8 parking lots, due to the lack of fine motor control of both
9 hands;

10 (2) reach above his or her head to a height of 42
11 inches from the ground, due to a lack of finger, hand, or
12 upper extremity strength or mobility;

13 (3) approach a parking meter due to his or her use of a
14 wheelchair or other device for mobility; or

15 (4) walk more than 20 feet due to an orthopedic,
16 neurological, cardiovascular, or lung condition in which
17 the degree of debilitation is so severe that it almost
18 completely impedes the ability to walk.

19 The application for a meter-exempt parking decal or device
20 shall contain a statement certified by a licensed physician,
21 physician assistant, or advanced practice nurse attesting to
22 the permanent nature of the applicant's condition and verifying
23 that the applicant meets the physical qualifications specified
24 in this subsection (c-5).

25 Notwithstanding the requirements of this subsection (c-5),
26 the Secretary shall issue a meter-exempt decal or device to:

1 (1) a person who has been issued registration plates
2 under Section 3-616 of this Code or a special decal or
3 device under this Section, if the applicant is the parent
4 or guardian of a person with disabilities who is under 18
5 years of age and incapable of driving; -

6 (2) a person, suffering blindness defined as having a
7 central vision acuity of 20/200 or less in the better eye
8 with the use of a correcting lens, or with an eye that is
9 limited in its field of vision so that the widest diameter
10 of the visual field subtends an angle no greater than 20
11 degrees, if the applicant submits from his or her treating
12 ophthalmologist or optometrist a vision specialist report
13 certifying the applicant's visual disability and limited
14 mobility, and is incapable of driving without the
15 assistance of another person; or

16 (3) a parent or guardian of a person suffering
17 blindness as defined in the preceding clause (2), if the
18 applicant submits from an ophthalmologist or optometrist a
19 vision specialist report certifying the person's visual
20 disability or limited mobility, and the person's inability
21 of driving without the assistance of another person.

22 (d) Replacement decals or devices may be issued for lost,
23 stolen, or destroyed decals upon application and payment of a
24 \$10 fee. The replacement fee may be waived for individuals that
25 have claimed and received a grant under the Senior Citizens and
26 Disabled Persons Property Tax Relief Act.

1 (Source: P.A. 97-689, eff. 6-14-12; 97-845, eff. 1-1-13;
2 98-463, eff. 8-16-13; 98-577, eff. 1-1-14.)".